

CHAPTER NO. 73

HOUSE BILL NO. 2441

By Representative Litz

Substituted for: Senate Bill No. 2513

By Senator Southerland

AN ACT to amend Chapter 374 of the Private Acts of 1951; and any other acts amendatory thereto, relative to jurisdiction over domestic relations matters in Hamblen County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 374 of the Private Acts of 1951, and any other acts amendatory thereto, is amended by deleting Section 2 in its entirety.

SECTION 2. All active domestic relations cases filed in or under consideration by the General Sessions Court under authority of Chapter 374 of the Private Acts of 1951 on the effective date of this act and any domestic relations cases heard by that court which may be reactivated subsequent to the effective date of this act shall be transferred to the Chancery Court serving Hamblen County. After such date, all domestic relations cases shall be filed in and heard by the Chancery Court.

SECTION 3. Chapter 374 of the Private Acts of 1951 is further amended by adding the following language to the end of Section 4:

Upon the transfer of jurisdiction from the General Sessions Court to the Chancery Court, all records pertaining to domestic relations cases held or maintained in the General Sessions Court under the authority of Chapter 374 of the Private Acts of 1951 shall remain in the custody of the Clerk and Master of the Chancery Court of Hamblen County.

SECTION 4. Other than transferring jurisdiction over domestic relations cases to the Chancery Court, nothing in this act shall be construed as invalidating or altering any judgment, order, decree or other determination of the court related to a divorce or other domestic relations case that was adjudicated by the General Sessions Court pursuant to the authority of Chapter 374 of the Private Acts of 1951 and all such judgments, orders, decrees and other determinations shall remain valid and binding.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Hamblen County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 6.

PASSED: February 5, 2004


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 11th day of February 2004


PHIL BREDESEN, GOVERNOR